



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

June 2, 2005

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE

REFER TO FILE: **AS-0**
73921
Amendment 1

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**CATCH BASIN INSERT INSTALLATION AND TRASH MONITORING SERVICE
SUPERVISORIAL DISTRICTS 1, 2, AND 3
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that this contract amendment is exempt from the provisions of the California Environmental Quality Act (CEQA).
2. Approve amending Contract No. 73921 with United Stormwater, Inc., increasing the service area to include the Ballona Creek Watershed, at an additional cost of \$269,400 per year.
3. Delegate authority to the Acting Director of Public Works to increase the contract amount as amended by 20 percent in the event that unforeseen additional work is required within the scope of work.
4. Delegate authority to the Acting Director to execute the amendment.
5. Effective 30 days from the date of this letter, terminate Contract No. 73920 with Asbury Environmental, Inc., for the convenience of the County.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On March 5, 2002, your Board awarded Contract No. 73920 with Asbury Environmental, Inc., for the Ballona Creek Watershed and Contract No. 73921 with United Stormwater, Inc., for the Los Angeles River Watershed to collect, measure, and report on trash entering the storm drain system.

Each contract was for a 3-year original term with two optional 1-year extensions. Both contracts received the first of the two optional 1-year extensions in February 2005.

The contracts initiated a study to provide necessary data for the trash Total Maximum Daily Load (TMDL) in the two watersheds conducted by Public Works to set a baseline for water quality requirements to be imposed by the Los Angeles Regional Water Quality Control Board. The study tasks include the initial installation of catch basin inserts, followed by periodic collection, sorting, measurement, and reporting of the types and quantity of debris captured in the inserts. Servicing the inserts occurs after each rainstorm that has at least 0.25 inches of precipitation, or after a 90-day period of dry weather.

In March 2005, the field operation of Asbury Environmental, including its stormwater services unit, was sold to Ecology Control Industries (ECI). Asbury Environmental is therefore no longer able to perform the contracted services. Furthermore, after reviewing the trash study contract that they acquired from Asbury Environmental, ECI notified Public Works that it was not economically feasible to provide the County with the contracted services. Due to these circumstances, it is necessary for the County to terminate its contract with Asbury Environmental.

Nevertheless, the trash study is in its fourth year, and in order to obtain a dependable, continuous data set, we must continue to gather the data as originally planned. In order to do so, we recommend amending Contract No. 73921 with United Stormwater, Inc., to include the Ballona Creek Watershed for the remainder of the study.

Implementation of Strategic Plan Goals

The recommended action remains consistent with the County Strategic Plan Goal of Organizational Effectiveness. Continuation of this contract with the expanded scope will continue to improve internal operations through utilization of the contractor's expertise to effectively provide this service in a timely and cost-effective manner.

FISCAL IMPACT/FINANCING

Funds are available in the 2004-05 Flood Control District Fund. There will be no impact on net County cost.

The original Los Angeles River Watershed contract includes two optional 1-year extensions for \$240,000 for each option year. The contract is currently in the first of the two 1-year optional extensions.

In order to augment the services of United Stormwater to include the Ballona Creek Watershed, an additional amount of \$269,400 plus 20% for unforeseen additional work within the scope of work will be needed for each of the two option years, increasing the annual contract sum for the option years to \$509,400. This increase is based on the unit costs quoted in Exhibit A, United Stormwater's April 27, 2005, Proposal for such services in the Ballona Creek Watershed and Public Works' estimated need for services and is consistent with the per-catch basin price in United Stormwater's 2002 contract.

The contract will continue to allow a cost-of-living adjustment for the optional periods in accordance with County policy established by the Chief Administrative Office at the time of the original solicitation.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On February 28, 2005, Public Works renewed United Stormwater's and Asbury Environmental contracts for the first of the two optional 1-year extensions. The County reserves the right to terminate each contract at any time, without cause, upon giving at least 30 days' written notice to the contractors.

In accordance with Section 3-G.2 of the contract with United Stormwater, the County may amend to change the scope of work.

The renewals preserved the original terms and conditions of the agreements, as does the recommended amendment (Enclosure).

ENVIRONMENTAL DOCUMENTATION

The services described in the contract as amended are categorically exempt as specified in Class 1(e) of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, Synopsis 57.

CONTRACTING PROCESS

On August 30, 2001, Public Works solicited proposals from 70 independent contractors and general community business organizations to accomplish this trash study. On October 10, 2001, United Stormwater, Asbury Environmental, and three other firms submitted proposals for the trash studies in the Ballona Creek and Los Angeles River Watersheds. United Stormwater was awarded the Los Angeles River Study and Asbury Environmental to the Ballona Creek Watershed Study. United Stormwater received the highest evaluation scores for both studies. However, at Public Works' recommendation,

The Honorable Board of Supervisors
June 2, 2005
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the Ballona Creek Watershed Study was awarded to the second highest-rated proposer, Asbury Environmental, because of the very competitive prices they quoted. However, due to the decision of Asbury Environmental and ECI not to provide further service as described in Purpose/Justification of Recommended Action above, the County has no option but to exercise its right to terminate the contract with Asbury Environmental.

In order to complete the study without significant data gaps, Public Works recommends that the enclosed amendment be made to United Stormwater's contract to increase its services to include the Ballona Creek Watershed.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Termination of the Asbury Environmental contract and execution of the recommended amendment to United Stormwater's contract will have no impact on any other County services or projects.

CONCLUSION

One approved copy of this letter is requested.

Respectfully submitted,

DONALD L. WOLFE
Acting Director of Public Works

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Enc.

cc: Chief Administrative Office
County Counsel

SAMPLE AMENDMENT 1 TO CONTRACT NO. 73921

CATCH BASIN INSERT INSTALLATION AND TRASH MONITORING SERVICE

W I T N E S S E T H

This AMENDMENT, made and entered into as of this _____ day of _____, 2005, by and between the County of Los Angeles, a subdivision of the State of California, a body corporate and politic, hereinafter referred to as "County," and, United Stormwater, Inc., hereinafter referred to as "Contractor."

WHEREAS: Contract No. 73921 was entered into between the County and the Contractor on March 5, 2002, to provide Catch Basin Insert Installation and Trash Monitoring Service in the Los Angeles River Watershed; and

WHEREAS: the County desires to increase the service area to include the Ballona Creek Watershed as described in Contract 73920 between the County and Asbury Environmental, Inc., a copy of which is on file with the County of Los Angeles Department of Public Works and incorporated by reference in this Amendment; and

NOW, THEREFORE, in consideration of these facts and payment to be made by the County, the County and the Contractor agree that Contract No. 73921 between them shall be amended as follows:

FIRST: The parties agree to amend the Contract to increase the service area to include the Ballona Creek Watershed as described in Contract 73920 between the County and Asbury Environmental, Inc., including performance of the Scope of Work and Exhibits A, B, C, and D of the Contract; and

SECOND: The Contractor shall be compensated at the rates set forth in Exhibit A, letter to Frank Kuo regarding Cleaning Catch Basin Filter dated April 27, 2005, in sums which shall not exceed \$269,400 annually in the present contract year expiring March 4, 2006, and in the subsequent option year.

THIRD: The Contractor shall have no claim against the County for payment of any money or reimbursement of any kind whatsoever for any service provided by the Contractor after the expiration or other termination of the Contract. Should the Contractor receive any such payment, it shall immediately notify the County and shall immediately repay all such funds to the County. Payment by the County for services rendered after expiration or other termination of the Contract shall not constitute a waiver of the County's right to recover such payment from the Contractor. This provision shall survive the expiration or other termination of the Contract.

FOURTH: The Contractor shall notify and provide to its employees, and shall require each subcontractor to notify and provide to its employees, a fact sheet regarding

the Safely Surrendered Baby Law, its implementation in Los Angeles County, and where and how to safely surrender a baby. The fact sheet is set forth in Exhibit B of this Amendment and is also available on the Internet at www.babysafela.org for printing purposes.

FIFTH: The Contractor acknowledges that the County places a high priority on the implementation of the Safely Surrendered Baby Law. The Contractor understands that it is the County's policy to encourage all County Contractors to voluntarily post the County's "Safely Surrendered Baby Law" poster in a prominent position at the Contractor's place of business. The Contractor will also encourage its Subcontractors, if any, to post this poster in a prominent position in the Subcontractor's place of business. The County's Department of Children and Family Services will supply the Contractor with the poster to be used.

SIXTH: All other terms, conditions, requirements, and specifications of the original Contract shall remain in effect.

[illegible]

IN WITNESS WHEREOF, the County has, by order of its Board of Supervisors, caused these presents to be subscribed by the Acting Director of Public Works, and the Contractor has subscribed its name by and through its duly authorized officers, as of the day, month, and year first written above.

COUNTY OF LOS ANGELES

By _____
Acting Director of Public Works

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

By _____
Deputy

UNITED STORMWATER, INC.

By _____
Its President

By _____
Its Secretary

EXHIBIT A



SWQ19160

April 27, 2005

Frank Kuo
 Los Angeles County
 Department of Public Works
 900 South Fremont Ave.
 Alhambra California, 91803-1331

Subject: Cleaning Catch Basin Filter Inserts in the Ballona Creek Watershed

Dear Mr. Frank Kuo,

United Storm Water, Inc., (United) would like to thank you for giving us this opportunity to submit the following quotation:

Scope of Work

United Storm Water, Inc. (United) will be responsible for the supplying; equipment, supervision and labor to maintenance storm drain filters located in the Ballona Creek Watershed.

United Storm Water, Inc. would like to extend our appreciation to the County of Los Angeles Public Works Department for recommending our contract amended and extended. This amendment would extend our current contract price and expanding the scope of work to include the maintenance of the storm drain filters located in the Ballona Creek Watershed. United will honor six filters per cleaning at no charge. United will also replace all ABTECHs that need relocation. We would like to offer the County an expansion of the scope of our current contract subject to the same rates, terms and conditions.

Item	Item Description	Est. Units	Unit Price	Proposed Price
2.	Collect, Measure, Monitor, and report Debris volumes per each clean out Event for contract term	10 ea.	<u>\$25,440.00</u>	<u>\$254,400.00</u>
3.	Dispose of Collected Debris per each Clean out event for contract term	10 ea.	<u>\$1,500.00</u>	<u>\$15,000.00</u>
TOTAL AMOUNT PROPOSED FOR PROPOSAL				<u>\$269,400.00</u>

We are hopeful that the County of Los Angeles is satisfied with the services United has provided to the maintenance storm drain filters and CDS units. We look forward to working with the County of Los Angeles Public Works Department for successful storm water monitoring program.

**UNITED STORM WATER, Inc.***Protecting Our Water Resources*

Given the nature of this project, particularly the uncertainty as the state and amount of the waste material involved, this project is bid time plus materials basis at the rates stated in this quotation. Although estimated quantities (hrs., etc.) are shown, Los Angeles County shall be billed actual quantities to complete this project at unit rates shown on the following page (see SALES QUOTE attached).

Terms and Conditions

Terms are Net 30 days with approved credit (requires approx. three business days) otherwise C.O.D. (company check, cash or credit card).

Thank you for this opportunity to provide these services to Los Angeles County. If you have any questions, please call or if you would like to proceed with this project, please sign and return a complete copy of this letter.

Sincerely,

PAUL CORN

Director of Operations

AUTHORIZATION TO PROCEED

BY

Los Angeles County

ACCEPTANCE: United Storm Water, Inc., (United) is hereby authorized to proceed with the Scope of Work, Assumptions and Terms and Conditions as described in the letter. It is understood, United is properly licensed to conduct the scope described in the letter and possess California Contractors Number 768583.

Signature

Date

Name
(Print or Type)

Purchase Order Number
(If Applicable)

*Person with the authority to financially commit.

No shame. No blame. No names.

**Newborns can be safely given up
at any Los Angeles County
hospital emergency room or fire station.**



In Los Angeles County:

1-877-BABY SAFE

1-877-222-9723

www.babysafela.org



State of California
Gray Davis, Governor

Health and Human Services Agency
Grantland Johnson, Secretary

Department of Social Services
Rita Saenz, Director



Los Angeles County Board of Supervisors

Gloria Molina, Supervisor, First District

Yvonne Brathwaite Burke, Supervisor, Second District

Zev Yaroslavsky, Supervisor, Third District

Don Knabe, Supervisor, Fourth District

Michael D. Antonovich, Supervisor, Fifth District

This initiative is also supported by First 5 LA and INFO LINE of Los Angeles.

What is the Safely Surrendered Baby Law?

California's Safely Surrendered Baby Law allows parents to give up their baby confidentially. As long as the baby has not been abused or neglected, parents may give up their newborn without fear of arrest or prosecution.

How does it work?

A distressed parent who is unable or unwilling to care for a baby can legally, confidentially and safely give up a baby within three days of birth. The baby must be handed to an employee at a Los Angeles County emergency room or fire station. As long as the child shows no signs of abuse or neglect, no name or other information is required. In case the parent changes his or her mind at a later date and wants the baby back, workers will use bracelets to help connect them to each other. One bracelet will be placed on the baby, and a matching bracelet will be given to the parent.

What if a parent wants the baby back?

Parents who change their minds can begin the process of reclaiming their newborns within 14 days. These parents should call the Los Angeles County Department of Children and Family Services at 1-800-540-4000.

Can only a parent bring in the baby?

In most cases, a parent will bring in the baby. The law allows other people to bring in the baby if they have legal custody.

Does the parent have to call before bringing in the baby?

No. A parent can bring in a baby anytime, 24 hours a day, 7 days a week so long as the parent gives the baby to someone who works at the hospital or fire station.

Does a parent have to tell anything to the people taking the baby?

No. However, hospital personnel will ask the parent to fill out a questionnaire designed to gather important medical history information, which is very useful in caring for the child. Although encouraged, filling out the questionnaire is not required.

What happens to the baby?

The baby will be examined and given medical treatment, if needed. Then the baby will be placed in a pre-adoptive home.

What happens to the parent?

Once the parent(s) has safely turned over the baby, they are free to go.

Why is California doing this?

The purpose of the Safely Surrendered Baby Law is to protect babies from being abandoned by their parents and potentially being hurt or killed. You may have heard tragic stories of babies left in dumpsters or public bathrooms. The parents who committed these acts may have been under severe emotional distress. The mothers may have hidden their pregnancies, fearful of what would happen if their families found out. Because they were afraid and had nowhere to turn for help, they abandoned their infants. Abandoning a baby puts the child in extreme danger. It is also illegal. Too often, it results in the baby's death. Because of the Safely Surrendered Baby Law, this tragedy doesn't ever have to happen in California again.

A baby's story

At 8:30 a.m. on Thursday, July 25, 2002, a healthy newborn baby was brought to St. Bernardine Medical Center in San Bernardino under the provisions of the California Safely Surrendered Baby Law. As the law states, the baby's mother did not have to identify herself. When the baby was brought to the emergency room, he was examined by a pediatrician, who determined that the baby was healthy and doing fine. He was placed with a loving family while the adoption process was started.

Every baby deserves a chance for a healthy life. If someone you know is considering abandoning a newborn, let her know there are other options.

It is best that women seek help to receive proper medical care and counseling while they are pregnant. But at the same time, we want to assure parents who choose not to keep their baby that they will not go to jail if they deliver their babies to safe hands in any Los Angeles County hospital ER or fire station.

Sin pena. Sin culpa. Sin peligro.

Los recién nacidos pueden ser entregados
en forma segura en la sala de emergencia de
cualquier hospital o en un cuartel de bomberos
del Condado de Los Angeles.



En el Condado de Los Angeles:

1-877-BABY SAFE

1-877-222-9723

www.babysafe1a.org



Estado de California
Gray Davis, Gobernador

Agencia de Salud y Servicios Humanos
(Health and Human Services Agency)
Grantland Johnson, Secretario

Departamento de Servicios Sociales
(Department of Social Services)
Rita Saenz, Directora



Consejo de Supervisores del Condado de Los Angeles

Gloria Molina, Supervisora, Primer Distrito

Yvonne Brathwaite Burke, Supervisora, Segundo Distrito

Zev Yaroslavsky, Supervisor, Tercer Distrito

Don Knabe, Supervisor, Cuarto Distrito

Michael D. Antonovich, Supervisor, Quinto Distrito

Esta iniciativa también está apoyada por First 5 LA y INFO LINE de Los Angeles.

¿Qué es la Ley de Entrega de Bebés Sin Peligro?

La Ley de Entrega de Bebés Sin Peligro de California permite a los padres entregar a su recién nacido confidencialmente. Siempre que el bebé no haya sufrido abuso ni negligencia, padres pueden entregar a su recién nacido sin temor a ser arrestados o procesados.

¿Cómo funciona?

El padre/madre con dificultades que no pueda o no quiera cuidar de su recién nacido puede entregarlo en forma legal, confidencial y segura, dentro de los tres días del nacimiento. El bebé debe ser entregado a un empleado de una sala de emergencias o de un cuartel de bomberos del Condado de Los Angeles. Siempre que el bebé no presente signos de abuso o negligencia, no será necesario suministrar nombres ni información alguna. Si el padre/madre cambia de opinión posteriormente y desea recuperar a su bebé, los trabajadores utilizarán brazaletes para poder vincularlos. El bebé llevará un brazalete y el padre/madre recibirá un brazalete igual.

¿Qué pasa si el padre/madre desea recuperar a su bebé?

Los padres que cambien de opinión pueden empezar el proceso de reclamar a su recién nacido dentro de los 14 días. Estos padres deberán llamar al Departamento de Servicios para Niños y Familias (Department of Children and Family Services) del Condado de Los Angeles, al 1-800-540-4000.

¿Sólo los padres podrán llevar al recién nacido?

En la mayoría de los casos, los padres son los que llevan al bebé. La ley permite que otras personas lleven al bebé si tienen la custodia legal del menor.

¿Los padres deben llamar antes de llevar al bebé?

No. El padre/madre puede llevar a su bebé en cualquier momento, las 24 horas del día, los 7 días de la semana, mientras que entregue a su bebé a un empleado del hospital o de un cuartel de bomberos.

¿Es necesario que el padre/madre diga algo a las personas que reciben al bebé?

No. Sin embargo, el personal del hospital le pedirá que llene un cuestionario con la finalidad de recabar antecedentes médicos importantes, que resultan de gran utilidad para los cuidados que recibirá el bebé. Es recomendado llenar este cuestionario, pero no es obligatorio hacerlo.

¿Qué ocurrirá con el bebé?

El bebé será examinado y, de ser necesario, recibirá tratamiento médico. Luego el bebé se entregará a un hogar preadoptivo.

¿Qué pasará con el padre/madre?

Una vez que los padres hayan entregado a su bebé en forma segura, serán libres de irse.

¿Por qué California hace esto?

La finalidad de la Ley de Entrega de Bebés Sin Peligro es proteger a los bebés del abandono por parte de sus padres y de la posibilidad de que mueran o sufran daños. Usted probablemente haya escuchado historias trágicas sobre bebés abandonados en basureros o en baños públicos. Es posible que los padres que cometieron estos actos hayan estado atravesando dificultades emocionales graves. Las madres pueden haber ocultado su embarazo, por temor a lo que pasaría si sus familias se enteraran. Abandonaron a sus recién nacidos porque tenían miedo y no tenían adonde recurrir para obtener ayuda. El abandono de un recién nacido lo pone en una situación de peligro extremo. Además es ilegal. Muy a menudo el abandono provoca la muerte del bebé. Ahora, gracias a la Ley de Entrega de Bebés Sin Peligro, esta tragedia ya no debe suceder nunca más en California.

Historia de un bebé

A las 8:30 a.m. del jueves 25 de julio de 2002, se entregó un bebé recién nacido saludable en el St. Bernardine Medical Center en San Bernardino, en virtud de las disposiciones de la Ley de Entrega de Bebés Sin Peligro. Como lo establece la ley, la madre del bebé no se tuvo que identificar. Cuando el bebé llegó a la sala de emergencias, un pediatra lo revisó y determinó que el bebé estaba saludable y no tenía problemas. El bebé fue ubicado con una buena familia, mientras se iniciaban los trámites de adopción.

Cada recién nacido merece una oportunidad de tener una vida saludable. Si alguien que usted conoce está pensando en abandonar a un recién nacido, infórmele qué otras opciones tiene.

Es mejor que las mujeres busquen ayuda para recibir atención médica y asesoramiento adecuado durante el embarazo. Pero al mismo tiempo, queremos asegurarles a los padres que optan por no quedarse con su bebé que no irán a la cárcel si dejan a sus bebés en buenas manos en cualquier sala de emergencia de un hospital o en un cuartel de bomberos del Condado de Los Angeles.